



# Town of Groton, Connecticut

## Meeting Agenda

### Town Council

45 Fort Hill Road  
Groton, CT 06340-4394  
Town Clerk (860)441-6640  
Town Manager (860)441-6630

*Mayor Harry A. Watson, Councilors Peter J. Bartinik, Jr., Natalie Burfoot Billing, Heather Sherman Bond, Catherine Kolnaski, Frank O'Beirne, Jr., Paulann H. Sheets, Thomas J. Skrmetti, and Elissa T. Wright.*

Tuesday, June 07, 2005

7:30 PM

Town Hall Annex - Community Room 1

### REGULAR MEETING

#### I. ROLL CALL

#### II. SALUTE TO THE FLAG

#### III. RECOGNITION, AWARDS & MEMORIALS

2005-0171 Proclamation Commemorating Flag Day Proclamation - TC

2005-0179 Proclamation Recognizing National Cancer Survivors Day Proclamation - TC

#### PUBLIC HEARING

##### Recess for Public Hearing on:

2005-0078 Sandy Hollow Road Tree Removal Referral

#### IV. CITIZENS' PETITIONS, COMMENTS AND CONCERNS

This is the portion of the Council Agenda where the Council welcomes comments from citizens. Each presentation should be limited to ten minutes or less, and citizens should, if possible, submit written comments. Presentations should be related to matters pertinent to Groton. Town Councilors will only ask questions in order to clarify the speaker's presentation and can respond during the Responses to Citizens' Petitions portion of the Town Council meeting. Citizens should make their presentations from the lectern and state their names and addresses for the record.

#### V. RESPONSES TO CITIZENS' PETITIONS, COMMENTS AND CONCERNS

#### VI. CONSENT CALENDAR

All matters listed under Item VI (Consent Calendar) are considered to be routine and will be enacted by one motion. No separate discussion of these items will take place, unless cause is shown prior to the time Council votes on the motion to adopt.

##### a. Approval of Minutes

2005-0187 Approval of Minutes (Town Council) Resolution - Consent

##### RESOLUTION ACCEPTING TOWN COUNCIL MINUTES

RESOLVED, that the minutes of the Town Council Meeting of May 17, 2005 and May 24, 2005 are hereby accepted and approved.

##### b. Deletions from the Town Council Referral List

2004-0312 FYE 2006 Budget Referral

2005-0057 Joint Meeting with Shellfish Task Force, Shellfish Commission and WPCA Referral

2005-0077 Proposed FYE 2006 Budget Deliberations Referral

2005-0149	Achievement and Recognition Policy	Referral
2005-0150	TVCCA Supportive Housing Program Grant	Referral
2005-0151	Introduction of Ordinance for Fort Hill Homes Sewer Rehabilitation Project	Referral
2005-0161	Local Prevention Council Program Grant	Referral
2005-0177	Part-Time and Seasonal Pay Plan	Referral
2005-0178	Appointment of Raymond Munn to the Planning Commission	Referral
2005-0180	Supplemental Design Funding for Mystic Streetscape Project	Referral
2005-0181	Construction Agreement for Mystic Streetscape Project	Referral
2005-0182	Setting Public Hearing on Ordinance for Fort Hill Homes Sewer Rehabilitation Project	Referral
2005-0183	Statement of Policy Concerning Sewer Bond Ordinance	Referral
2005-0186	Revised Job Descriptions	Referral

**c. Special Trust Fund Contributions**

2005-0170	Special Trust Fund Contributions	Resolution - Consent
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RESOLUTION ACCEPTING CONTRIBUTIONS TO SPECIAL TRUST FUNDS

RESOLVED, that the Town Council hereby accepts contributions to the Town as follows:

Peoples Bank - \$300.00 - Parks and Recreation Revolving

Friends of the Groton Public Library - \$1,371 - Library Discretionary

James D. McNair - \$50.00 - Library Discretionary

Powerhouse Gym - \$300.00 - Parks and Recreation Revolving

Mystic Junior Womens Club - \$150.00 - Parks and Recreation Discretionary

**d. Tax Refund**

2005-0172	Tax Refund	Resolution - Consent
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RESOLUTION APPROVING TAX REFUND

WHEREAS, the following, for the reason indicated, has overpaid taxes in the amount specified, and

WHEREAS, the Tax Collector has recommended the amount be refunded, be it

RESOLVED, that the tax refund indicated below is hereby approved.

Bishop Court LLC - \$16,351.58 - Excess payment

**VII. COMMUNICATION REPORTS (Other than Committee Reports)**

**a. Town Councilors**

**b. Representative Town Meeting**

**c. Clerk of the Council**

**d. Town Manager**

**e. Town Attorney**

**VIII. COMMITTEE REPORTS**

- a. Community & Cultural Development - Chairman Billing
- b. Economic Development - Chairman Bond
- c. Education/Health & Social Services - Chairman Kolnaski
- d. Environment & Recreation - Chairman Sheets
- e. Finance - Chairman Wright
- f. Personnel/Appointments/Rules - Chairman O'Beirne
- g. Public Safety - Chairman Skrmetti
- h. Public Works - Chairman Bartinik
- i. Committee of the Whole - Mayor Watson

## IX. UNFINISHED BUSINESS

## X. NEW BUSINESS

**2005-0149      Achievement and Recognition Policy      Referral**

### RESOLUTION ON RECOGNITION OF STUDENT ACHIEVEMENT

WHEREAS, students in the Groton Public Schools have frequently achieved major group and individual recognition for academic, athletic and other school-related achievements, and

WHEREAS, a town should provide for the significant recognition of those student achievements that are a proper source of pride for the town, therefore be it

RESOLVED, that the Town Council endorses and adopts a policy that major achievements by students in the Groton Public Schools should be recognized by a Town Council proclamation, resolution, or any other ceremonial or documentary means that are appropriate for the occasion.

#### Legislative History

4/29/2005	Mayor	Referred	Town Council Finance Committee
5/10/2005	Town Council Finance Committee	Meeting Cancelled	
5/24/2005	Town Council Finance Committee	Recommended for a Resolution	

**2005-0150      TVCCA Supportive Housing Program Grant      Referral**

### RESOLUTION APPROVING TVCCA/HUD SUPPORTIVE HOUSING PROGRAM GRANT

WHEREAS, homelessness is being addressed on several fronts by numerous programs but remains an ongoing problem for Groton and neighboring communities, and

WHEREAS, homeless persons with disabilities and homeless families in which at least one member is disabled require extensive counseling, support and case management services, and

WHEREAS, the Supportive Housing Program, operated by TVCCA as the grantee of record with the Federal Department of Housing and Urban Development, provides funding to enable agencies and municipalities to provide counseling, support and case management services via participation the Housing Collaborative Network, therefore be it

RESOLVED, that the Town Council authorizes the Town Manager, Mark R. Oefinger, to enter into an agreement with Thames Valley Council for Community Action, Inc. to accept grant funding in the

amount of \$8000 to conduct a Supportive Housing Program in Groton for the period of February 1, 2005 through January 31, 2006 and to utilize said funding to supplant a portion of the salary and related fringe benefits of selected Groton Social Services' staff who shall provide counseling, support and case management services to the specified Groton client population via participation in the Housing Collaborative Network.

**Legislative History**

4/27/2005	Mayor	Referred	Town Council Finance Committee
5/10/2005	Town Council Finance Committee	Meeting Cancelled	
5/24/2005	Town Council Finance Committee	Recommended for a Resolution	

**2005-0183      Statement of Policy Concerning Sewer Bond Ordinance      Referral**

**STATEMENT OF POLICY CONCERNING A SEWER BORROWING ORDINANCE**

WHEREAS, a study of the condition of the sanitary sewer system in the Fort Hill Homes area, and of inflow and infiltration along that system, has caused the Town Council to introduce an ordinance (the "Ordinance") appropriating \$6,381,200 for the rehabilitation of the Fort Hill Homes sanitary sewer system (the "Project") and authorizing the Town to issue bonds, notes or obligations in the same amount to finance said appropriation, and

WHEREAS, based on the recommendation of the Town's Consultant on the Project, the Town intends to finance the appropriation for the Project by participating in the State of Connecticut's Clean Water Fund Program, provided, however, that the Town retains the option to issue general obligation bonds and notes to finance the Project, and

WHEREAS, the Town Council Committee of the Whole has considered alternative means of funding the repayment of any bonds, notes or obligations issued in accordance with the Ordinance, now therefore be it

RESOLVED, that it is the policy of the Town Council of the Town of Groton that the repayment of any bonds, notes or obligations issued in accordance with the Ordinance should be funded by an appropriate level of revenue from the Town of Groton Sewer Usage Fee but any borrowing may be secured by the power to levy taxes on the property in the Town's Sewer District as provided in the ordinance.

**Legislative History**

5/24/2005	Town Council Committee of the Whole	Recommended for a Resolution
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**2005-0151      Introduction of Ordinance for Fort Hill Homes Sewer Rehabilitation Project      Referral**

**INTRODUCTION OF ORDINANCE APPROPRIATING \$6,381,200 FOR FORT HILL HOMES SEWER REHABILITATION PROJECT AND AUTHORIZING THE ISSUE OF BONDS AND NOTES IN THE SAME AMOUNT TO FINANCE SAID APPROPRIATION**

**BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF GROTON:**

Section 1. That the sum of SIX MILLION THREE HUNDRED EIGHTY-ONE THOUSAND TWO HUNDRED DOLLARS (\$6,381,200) is appropriated for rehabilitation of the Fort Hill Homes sanitary sewer system. The project shall include installation of approximately 19,700 linear feet of cured-in-place lining of existing 8-inch to 18-inch sewer pipe, cementious lining of approximately 104 existing concrete manholes, and approximately 19 new concrete manholes; and replacement with new 6-inch PVC pipe and/or installation of cured-in-place lining of approximately 32,400 linear feet of existing 4-inch lateral pipes. The Town Council may reduce or modify the scope of the project and the entire appropriation may be spent on the project as so reduced or modified. The appropriation may be spent for design and construction costs, equipment, materials, easement

acquisition, site improvements, engineering fees, legal fees, net interest on borrowings and other financing costs, and other expenses related to the project or its financing.

Section 2. That the Town issue bonds or notes or obligations in an amount not to exceed SIX MILLION THREE HUNDRED EIGHTY-ONE THOUSAND TWO HUNDRED DOLLARS (\$6,381,200) to finance the appropriation for the project. The amount of bonds or notes or obligations authorized to be issued shall be reduced by the amount of grants received by the Town for the project. The bonds or notes or obligations shall be issued pursuant to Section 7-259 or Sections 22a-475 to 22a-483 of the General Statutes of Connecticut, Revision of 1958, as amended, and any other enabling acts. The bonds or notes or obligations shall be secured by the irrevocable pledge of the full faith and credit of the Town of Groton. The Town does hereby covenant and agree with the holders of the bonds or notes or obligations and all notes and interim funding obligations issued in anticipation of the receipt of the proceeds from the sale of such bonds or notes or obligations that in each year while any such bonds or notes or obligations are outstanding, it will levy and collect ad valorem taxes upon all taxable properties within the Town, other than properties within the City of Groton, in an amount sufficient, with such other funds of the Town as shall be available for such purpose, to pay the interest and principal on the bonds or notes or obligations as the same become due and payable.

Section 3. That the Town issue and renew temporary notes or interim funding obligations from time to time in anticipation of the receipt of the proceeds from the sale of the bonds or notes or obligations for the project. The amount of the notes or obligations outstanding at any time shall not exceed SIX MILLION THREE HUNDRED EIGHTY-ONE THOUSAND TWO HUNDRED DOLLARS (\$6,381,200). The notes or obligations shall be issued pursuant to Section 7-264 and 7-378 or Sections 22a-475 to 22a-483 of the General Statutes of Connecticut, Revision of 1958, as amended. The notes or obligations shall be secured by the irrevocable pledge of the full faith and credit of the Town, payable as provided in Section 2. The Town shall comply with the provisions of Sections 7-378a and 7-378b of the General Statutes with respect to any notes that do not mature within the time permitted by said Sections 7-264 or 7-378, and the Town shall comply with the provisions of Section 22a-479(c) with respect to any obligations.

Section 4. That the Town Council shall determine the amount of bonds, notes or obligations authorized by Section 2 to be sold. The Town Manager and the Director of Finance shall determine the amount of any temporary notes or interim funding obligations authorized by Section 3 to be sold. The Town Manager and the Director of Finance of the Town shall sign any bonds or notes or obligations by their manual or facsimile signatures. The law firm of Day, Berry & Howard LLP is designated as bond counsel to approve the legality of the bonds or notes or obligations. The Town Manager and the Director of Finance are authorized to determine the dates, interest rates, maturities, redemption provisions, form and other details of the bonds or notes or obligations; to provide for the keeping of a record of the bonds or notes or obligations; to designate one or more banks or trust companies to be certifying bank, registrar, transfer agent and paying agent for the bonds or notes or obligations; to designate a financial advisor to the Town in connection with the sale of the bonds or notes or obligations; to sell the bonds or notes or obligations at public or private sale; to deliver the bonds or notes or obligations; and to perform all other acts which are necessary or appropriate to issue the bonds or notes or obligations.

Section 5. That the Town hereby declares its official intent under Federal Income Tax Regulation Section 1.150-2 that project costs may be paid from temporary advances of available funds and that (except to the extent reimbursed from grant moneys) the Town reasonably expects to reimburse any such advances from the proceeds of borrowings in an aggregate principal amount not in excess of the amount of borrowing authorized above for the project. The Town Manager and the Director of Finance are authorized to amend such declaration of official intent as they deem necessary or advisable and to bind the Town pursuant to such representations and covenants as they deem necessary or advisable in order to maintain the continued exemption from federal income taxation of interest on the bonds or notes or obligations authorized by this resolution if issued on a tax-exempt basis, including covenants to pay rebates of investment earnings to the United States in future years.

Section 6. That the Town Manager and the Director of Finance are authorized to make representations and enter into written agreements for the benefit of holders of the bonds or notes or obligations to provide secondary market disclosure information, which agreements may include such

terms as they deem advisable or appropriate in order to comply with applicable laws or rules pertaining to the sale or purchase of such bonds or notes or obligations.

Section 7. That the Town Manager, on behalf of the Town, is authorized to apply for and accept state grants to finance the project and state loans to finance the project, and to enter into any grant or loan agreement prescribed by the State. The Town Manager, the Director of Finance and the Water Pollution Control Authority are authorized to take any other actions necessary to obtain such grants or loans pursuant to Section 22a-479 of the Connecticut General Statutes, Revision of 1958, as amended, or to any other present or future legislation, or to implement such grant or loan agreements.

Section 8. That the Water Pollution Control Authority is authorized to construct the sewer project; to approve design and construction expenditures and any easement acquisition costs incurred for the sewer project; and to contract with engineers, contractors and others on behalf of the Town for said sewer project. All such authority is subject to the provisions of Section 1.

Section 9. That the Town Manager, the Director of Finance, the Water Pollution Control Authority and other proper officers of the Town are authorized to take all other action which is necessary or desirable to complete the project and to issue bonds or notes or obligations to finance the aforesaid appropriation.

Section 10. This ordinance shall become effective only if it has been adopted by vote of not less than five (5) members of the Town Council and by the Representative Town Meeting, and only if the appropriation set forth in Section 1 and the issuance of bonds and notes and obligations to finance said appropriation have been approved by the voters at referendum in accordance with Section 8.12 of the Town Charter, and notice of passage has been published in accordance with the provisions of the Town Charter.

**Legislative History**

<b>5/3/2005</b>	<b>Mayor</b>	<b>Referred</b>	<b>Town Council Committee of the W</b>
<b>5/10/2005</b>	<b>Town Council Committee of the Whole</b>	<b>Discussed</b>	

*See discussion under referral 2005-0049.*

<b>5/24/2005</b>	<b>Town Council Committee of the Whole</b>	<b>Recommended for a Resolution</b>
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<b>2005-0182</b>	<b>Setting Public Hearing on Ordinance for Fort Hill Homes Sewer Rehabilitation Project</b>	<b>Referral</b>
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RESOLUTION SETTING PUBLIC HEARING ON ORDINANCE APPROPRIATING \$6,381,200 FOR FORT HILL HOMES SEWER REHABILITATION PROJECT AND AUTHORIZING THE ISSUE OF BONDS AND NOTES IN THE SAME AMOUNT TO FINANCE SAID APPROPRIATION

RESOLVED, that the Town Council and Water Pollution Control Authority will hold a joint public hearing on "An Ordinance Appropriating \$6,381,200 for Fort Hill Homes Sewer Rehabilitation Project and Authorizing the Issue of Bonds and Notes in the Same Amount to Finance Said Appropriation" on Tuesday, June 21, 2005 at 7:30 p.m. at Town Hall Annex, Community Room 1.

**Legislative History**

<b>5/24/2005</b>	<b>Town Council Committee of the Whole</b>	<b>Recommended for a Resolution</b>
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<b>2005-0161</b>	<b>Local Prevention Council Program Grant</b>	<b>Referral</b>
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RESOLUTION AUTHORIZING THE TOWN MANAGER TO APPLY FOR LOCAL PREVENTION COUNCIL PROGRAM FUNDS VIA THE CITIZEN'S TASK FORCE ON ADDICTIONS IN NEW LONDON CO., INC.

WHEREAS, effective prevention initiatives are needed to increase community awareness regarding how to prevent children and youth from becoming involved in substance abuse and,

WHEREAS, forming positive adult-child/youth relationships through mentoring is recognized by

prevention specialists as one of the most effective prevention strategies and,

WHEREAS, the Local Prevention Council supports school-based mentoring as a prevention initiative worthy of funding, therefore be it

RESOLVED, that the Groton Town Manager is authorized to apply to the Connecticut Department of Mental Health & Addiction Services via the Citizens' Task Force on Addictions in New London County, Inc., for such Local Prevention Council Program funds as may be available for the period July 1, 2005 through June 30, 2006.

**Legislative History**

5/9/2005 Mayor Referred Town Council Finance Committee

5/24/2005 Town Council Finance Committee Recommended for a Resolution

**2005-0177 Part-Time and Seasonal Pay Plan Referral**

**RESOLUTION APPROVING PART-TIME AND SEASONAL PAY PLAN**

WHEREAS, the Town's Part Time and Seasonal Pay Plan has not been changed since the current plan became effective in January 1, 2001, and

WHEREAS, the new pay plan proposed by the Department of Administrative Services provides for a needed fifth step within the various pay levels, and

WHEREAS, any additional funding that may be needed for the new plan has been included in the FYE 2006 Budget, now therefore be it

RESOLVED, that the proposed new and revised Seasonal and Part Time Pay Plan, attached hereto, shall be effective on July 1, 2005.

**Legislative History**

5/18/2005 Mayor Referred Town Council Personnel/Appointm

5/24/2005 Town Council Personnel/Appointments/Rules /Legislation Committee Recommended for a Resolution

**2005-0178 Appointment of Raymond Munn to the Planning Commission Referral**

**RESOLUTION APPOINTING RAYMOND S. MUNN TO THE PLANNING COMMISSION**

RESOLVED, that Raymond S. Munn, 26 Middlefield Street, is hereby appointed as a regular member to the Planning Commission for a term expiring 12/31/06.

**Legislative History**

5/10/2005 Town Council Personnel/Appointments/Rules /Legislation Committee Recommended for a Resolution

**2005-0180 Supplemental Design Funding for Mystic Streetscape Project Referral**

**RESOLUTION AUTHORIZING A SUPPLEMENTAL AGREEMENT TO THE ORIGINAL AGREEMENT BETWEEN THE STATE OF CONNECTICUT AND THE TOWN OF GROTON FOR THE DEVELOPMENT OF CONTRACT PLANS, SPECIFICATIONS, AND ESTIMATES FOR THE UTILITY RELOCATION PROJECT UTILIZING FEDERAL FUNDS FROM THE TRANSPORTATION AND COMMUNITY AND SYSTEM PRESERVATION PILOT PROGRAM**

WHEREAS, the Town of Groton has requested that design activities be undertaken in conjunction with the Utility Relocation Project and will utilize federal funds from the Transportation and

Community and System Preservation Pilot Program for design and construction of said Utility Relocation improvements under the Transportation Equity Act of the 21st Century of 1998, and

WHEREAS, the State and Municipality executed an Agreement No. 6.27-03(02) entitled "Agreement Between the State of Connecticut and the Town of Groton for the Development of Contract Plans, Specifications and Estimates for Utility Relocation Project utilizing Federal Funds from the Transportation and Community and System Preservation Pilot Program", dated November 25, 2002, and

WHEREAS, said improvements include, but are not limited to relocation of overhead utilities, and

WHEREAS, the First Supplemental Agreement will provide additional Transportation and Community and System Pilot Program funds under State Project No. 58-294 and Federal aid Project No. TCSP-TCSP (5), now therefore be it

RESOLVED, that Mark R. Oefinger, Town Manager, be, and hereby is, authorized to sign the supplemental agreement entitled "First Supplemental Agreement to the Original Agreement Dated November 25, 2002 Between the State of Connecticut and the Town of Groton for the Development of Contract Plans, Specifications, and Estimates for the Utility Relocation Project Utilizing Federal Funds from the Transportation and Community and System Preservation Pilot Program".

**Legislative History**

5/19/2005	Mayor	Referred	Town Council Committee of the W
5/24/2005	Town Council Committee of the Whole	Recommended for a Resolution	
2005-0181	Construction Agreement for Mystic Streetscape Project		Referral

RESOLUTION AUTHORIZING AN AGREEMENT BETWEEN THE STATE OF CONNECTICUT AND THE TOWN OF GROTON FOR THE CONSTRUCTION, INSPECTION, AND MAINTENANCE OF THE MYSTIC STREETScape PROJECT UTILIZING FEDERAL FUNDS FROM THE HIGH PRIORITY PROJECTS PROGRAM AND THE TRANSPORTATION AND COMMUNITY AND SYSTEM PRESERVATION PILOT PROGRAM.

WHEREAS the Town of Groton has requested that construction activities be undertaken in conjunction with the Mystic Streetscape project and the Utility Relocation project and will utilize federal funds from the High Priority Projects program and the Transportation and Community and System Preservation Pilot program, respectively, under the Transportation Equity Act of the 21st Century of 1998, and

WHEREAS, said improvements include, but are not limited to, landscaping, sidewalks, curbing, street furniture, ornamental lighting and relocating overhead utilities in the Mystic section of Groton, and

WHEREAS, these construction activities are identified herein as State Project Nos. 58-283 and 58-294, and Federal-aid Project Nos. HPP-H018 (8) and TCSP-TCSP (11), respectively, now therefore be it

RESOLVED, that Mark R. Oefinger, Town Manager, be, and hereby is, authorized to sign an agreement entitled "Agreement between the State of Connecticut and the Town of Groton for the Construction, Inspection and Maintenance of Mystic Streetscape Utilizing Funds from the High Priority Projects Program and the Transportation and Community and System Preservation Pilot Program".

**Legislative History**

5/19/2005	Mayor	Referred	Town Council Committee of the W
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	5/24/2005	Town Council Committee of the Whole	Recommended for a Resolution	
2005-0186		Revised Job Descriptions		Referral

**RESOLUTION APPROVING REVISED JOB DESCRIPTIONS**

WHEREAS, the Director of Administrative Services and staff have reviewed several existing job descriptions and have recommended that the Town Council approve certain revisions and updates, and

WHEREAS, the Personnel and Appointments Committee has found that revisions appear to be in order, reflecting title changes and/or reallocated duties, and

WHEREAS, only the position of Manager of Recreation Services will entail additional salary, which was included in the FYE 2006 budget, now therefore be it

RESOLVED, that the following nine job descriptions, dated May, 2005, are approved:

Manager of Labor Relations/Risk Management, Administrative Services  
Treasurer/Town Account, Finance Department  
Librarian, Groton Public Library  
Library Associate - Children's Services, Groton Public Library  
Library Associate - Technical Services, Groton Public Library  
Assistant Librarian - Circulation, Groton Public Library  
Library Assistant - Circulation, Groton Public Library  
Manager of Recreation Services, Parks and Recreation Department  
Inspector II - Code Enforcement, Planning and Development Services

**Legislative History**

5/24/2005	Town Council Personnel/Appointments/Rules /Legislation Committee	Recommended for a Resolution
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**XI. OTHER BUSINESS****XII. ADJOURNMENT**